

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE N/S Plastic Court, 230' E of c/l Transverse Ave. in Victory Villa 3 Plastic Court 15th Election District 6th Councilmanic District

* BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

* Case No. 92-2-A

Michael L. Heil, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) in a D.R.5.5 zone to permit a front yard setback of 11 ft. from the property line in lieu of the required 22 ft. setback, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of August 1991 that the Petition for a Zoning Variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) in a D.R.5.5 zone to permit a front yard setback of 11 ft. from the property line in lieu of the required 22 ft. setback, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall not allow or cause the addition to be converted to a second dwelling unit and/or apartment.
3. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH/amm

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

August 7, 1991

Mr. and Mrs. Michael L. Heil
10 Plastic Court
Baltimore, Maryland 21220

RE: Petition for Residential Zoning Variance
Case No. 92-2-A

Dear Mr. and Mrs. Heil:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:amm
encl.
cc: Peoples Counsel

PETITION FOR RESIDENTIAL VARIANCE

92-2-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 303.1 B.C.Z.R. in D.R.5.5 zone to permit a front yard set back of 11 ft from the property line in lieu of the required 22 ft set back.

I am the legal owner(s) of the property situated in Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
To expand my 2 teenage sons bedroom from 8'x13'6" to 2 bedrooms about the same size, because the boys are getting so big and need more private room. Also to keep from adding on to the back of the house because of the swimming pool and the inside design of the house.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):
Michael L. Heil

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be posted on the property on or before the _____ day of _____, 19____.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reported, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County.



J. Robert Haines
Zoning Commissioner of Baltimore County

REVIEWED BY: _____ DATE: _____

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 10 Plastic Court

Baltimore Md 21220
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

To expand my 2 teenage sons bedroom from 8'x13'6" to 2 bedrooms about the same size, because the boys are getting so big and need more private room. Also to keep from adding on to the back of the house because of the swimming pool and the inside design of the house.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)
Michael L. Heil

Affiant (Printed Name)
Michael L. Heil

Affiant (Handwritten Signature)
Janet L. Heil

Affiant (Printed Name)
Janet L. Heil

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 1st day of July, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael L. Heil and Janet L. Heil

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

July 1, 1991

Sharon Kay Jones
NOTARY PUBLIC

My Commission Expires: 6/1/94

ZONING DESCRIPTION

10 Plastic Court

Beginning at a point on the north side of Plastic Court which is corner of right of way wide at the distance of 230 feet East from the centerline of the street in reverse intersecting street TRANSVERSE AVE. which is 100 feet of right of way width wide. Bring Lot #415, Block _____, Section # _____ in the subdivision of Victory Villa as recorded in Baltimore County Plat Book # 22 Folio # 103, containing 5000 total square feet in lot. Also known as 10 Plastic Court and located in the #150 Election District.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6180
Number

SEE HAND-WRITTEN RECEIPT
DATED 7/3/91

7/03/91

H9200005

PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$35.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6180
Number

7-3-91

SEE COMPUTER RECEIPT
ITEM #5

ADMLW VAR.
APPLICATION Fee. \$35
Posting Fee. \$25
TOTAL \$60

HEILS

887-3353

111 West Chesapeake Avenue
Towson, MD 21204

July 10, 1991

887-3353

Michael and Janet Heil
10 Plastic Court
Baltimore, Maryland 21220

Re: CASE NUMBER: 92-2-A
LOCATION: N/S Plastic Court, 230' E of c/l Transverse Avenue in Victory Villa 10 Plastic Court

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 21, 1991. The closing date is August 5, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

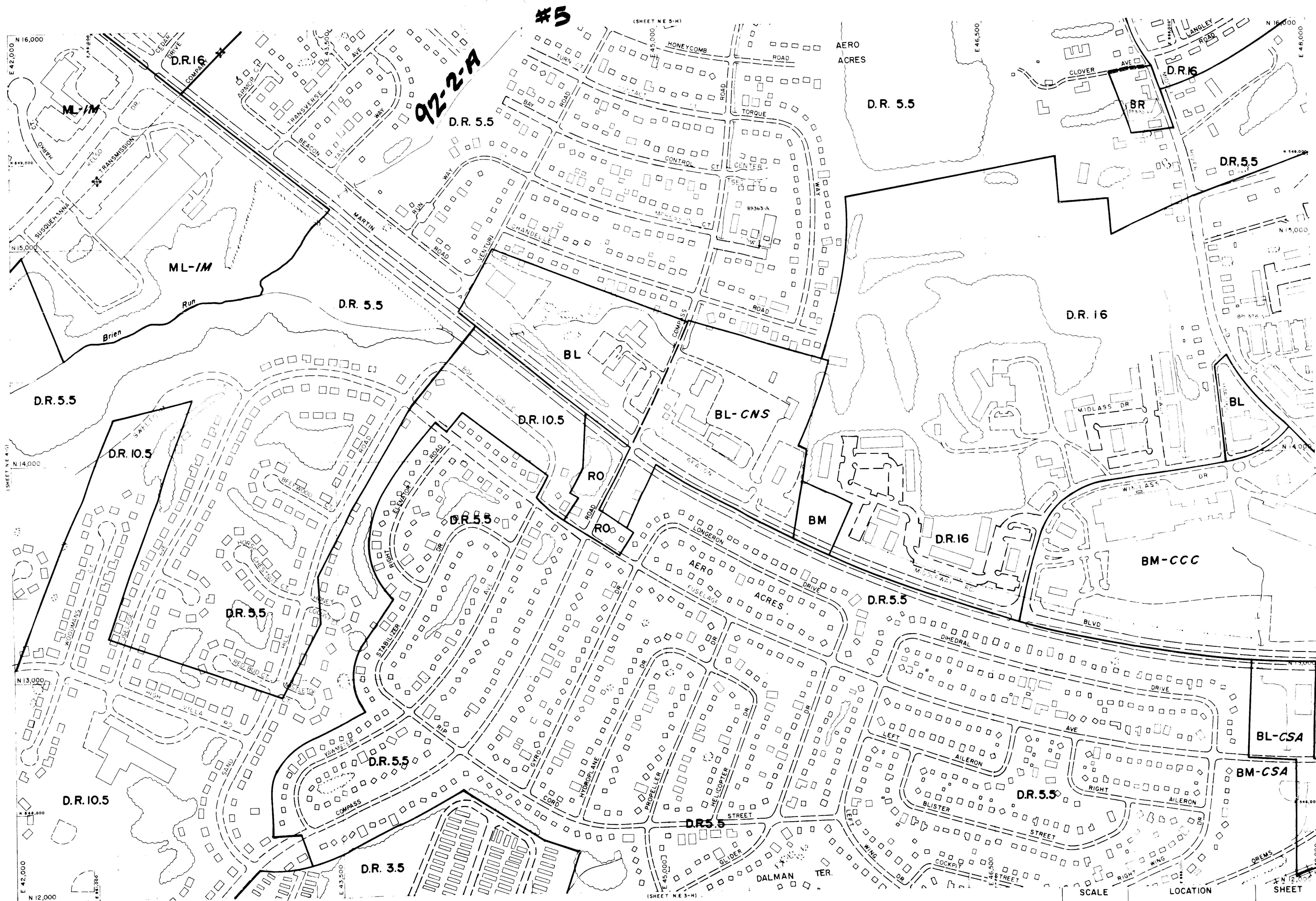
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. S. Stephens
(301) 887-3391





1-NW 1-NE

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
John P. ...
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE 1" = 200'	LOCATION MIDDLE RIVER	SHEET NE 4-H
DATE OF PHOTOGRAPHY JANUARY 1986		